



0000163843

WALLINHESTER^{PLC}

ATTORNEYS AT LAW

Troy A Wallin*
Chad A. Hester
Dane R. Nielson**
Kam H. Briant†

Rome Towers
1760 East Pecos Road
Suite 332
Gilbert, Arizona 85295
(480) 240-4150
(877) 659-1247
Fax: (480) 240-4151

*Also admitted in Nevada
**Also admitted in Utah
†Of Counsel, admitted in Nevada only

www.wallinhester.com

July 21, 2015

Arizona Corporation Commission
Docket Control
1200 W. Washington
Phoenix, Arizona 85007

2015 JUL 29 AM 11:19
AZ CORP COM
DOCKET CONTROL

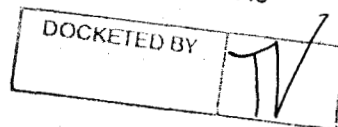
Re: Docket No. S-20926A-15-0116
In the Matter of: Deer Park Development Corporation;
Marty O'Malley and Julie Unruh O'Malley, husband and wife;
Robert D. Bjerken

To the Commission:

Enclosed for filing in connection with the above matter, please find our *Expedited Ex Parte Motion to Withdraw as Counsel for Defendants Marty O'Malley and Julie O'Malley and Order Granting to Withdraw as Counsel for Defendants Marty O'Malley and Julie O'Malley*. Please return the extra copy of each document "file marked" to our office in the enclosed self addressed and stamped envelope. Thank you for your assistance, and contact us with any questions.

Arizona Corporation Commission
DOCKETED

JUL 29 2015



CAH:lb
Enclosures

Very truly yours,

WALLIN HESTER PLC

Lindsey Blazeovich

Paralegal to Chad A. Hester, Esq.

Troy A. Wallin, Esq. (No. 023522)
Chad A. Hester, Esq. (No. 022894)
WALLIN HESTER, PLC
Rome Towers
1760 East Pecos Road, Suite 332
Gilbert, Arizona 85295
Telephone: (480) 240-4150
Facsimile: (480) 240-4151
courtfilings@wallinhester.com
Attorneys for Respondents O'Malley

BEFORE THE ARIZONA CORPORATION COMMISSION

In the matter of:

Docket No. S-20926A-15-0116

Deer Park Development Corporation,

Marty O'Malley and Julie Unruh
O'Malley, husband and wife,

Robert D. Bjerken,

Respondents.

**EXPEDITED EX PARTE MOTION TO
WITHDRAW AS COUNSEL FOR
DEFENDANTS MARTY O'MALLY
AND JULIE O'MALLEY**

Counsel for Defendants Marty O'Malley and Julie O'Malley hereby withdraws from representation of Defendants, under Arizona Rules of Professional Conduct, (AZ-ER) 1.16(b). Defendants' counsel makes the following representations:

1. Defendants have failed to substantially fulfill an obligation to their counsel;
2. Defendants' counsel gave Defendants reasonable warning that it would seek withdrawal if the obligation was not fulfilled;
3. Defendants' obligation remains unfulfilled;
4. Continuing the representation of Defendants would result in an unreasonable financial burden on Defendants' counsel;
5. Defendants have been notified of the reason for withdrawal;

6. Good cause exists to allow counsel to permissively withdraw from representation of Defendants. AZ-ER 1.16(b) provides that counsel may withdraw from representation if the withdrawal can be accomplished without material adverse effect on the client when:

- a. The client fails substantially to fulfill an obligation to the lawyer regarding the lawyer's service and has been given reasonable warning that the lawyer will withdraw unless the obligation is fulfilled (AZ-EZ 1.16(b)(4);
- b. Where the representation will result in an unreasonable financial burden on the lawyer or has been rendered unreasonably difficult by the client (AZ-EZ 1.16(b)(5); or
- c. Where other good cause for withdrawal exists (AZ-EZ 1.16(b)(6).

7. Based on the foregoing reasons, Defendants' counsel respectfully requests that he be allowed to permissively withdraw from representing Defendants Marty O'Malley and Julie O'Malley.

8. Defendants have been notified of all upcoming dates and deadlines in this case.

9. Defendants' contact information is as follows:

*Marty O'Malley and Julie O'Malley
1113 Cypress Ridge Lane, Las Vegas, NV 89144
(602) 625-5422.*

DATED this 21st day of July, 2015.

WALLIN HESTER, PLC

By: 

Chad A. Hester, Esq. (No. 022894)
1760 East Pecos Road, Suite 332
Gilbert, Arizona 85295
Attorneys for Defendant O'Malley

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORIGINAL FILED/mailed this 21st day of July, 2015, with:

Arizona Corporation Commission
Docket Control
1200 W. Washington
Phoenix, Arizona 85007

COPY e-mailed this 21st day of July, 2015, to:

Ryan J. Millecam
Division
1300 W. Washington, 3rd Floor
Phoenix, Arizona 85007
rmillecam@azcc.gov

By 

1 Troy A. Wallin, Esq. (No. 023522)
2 Chad A. Hester, Esq. (No. 022894)
3 WALLIN HESTER, PLC
4 Rome Towers
5 1760 East Pecos Road, Suite 332
6 Gilbert, Arizona 85295
7 Telephone: (480) 240-4150
8 Facsimile: (480) 240-4151
9 courtfilings@wallinhester.com
10 *Attorneys for Respondents O'Malley*

11 **BEFORE THE ARIZONA CORPORATION COMMISSION**

12 In the matter of:
13
14 Deer Park Development Corporation,
15 Marty O'Malley and Julie Unruh
16 O'Malley, husband and wife,
17
18 Robert D. Bjerken,
19
20 Respondents.

Docket No. S-20926A-15-0116

ORDER GRANTING

**MOTION TO WITHDRAW AS
COUNSEL FOR DEFENDANTS
MARTY O'MALLY AND JULIE
O'MALLEY**

21 The COURT has considered the Motion to Withdraw as Counsel filed by Chad A. Hester,
22 attorney for Defendants Marty O'Malley and Julie O'Malley, and finds good cause to grant such
23 Motion.

24 **IT IS HEREBY ORDERED** allowing Chad A. Hester of the law firm of Wallin Hester,
25 PLC to withdraw as counsel for Defendants Marty O'Malley and Julie O'Malley.

26 DATED this _____ day of July, 2015.

27 By: _____
28 Administrative Law Judge